

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA	*	CR. NO. 97-284(JAF)
	*	
Plaintiff	*	
	*	
v	*	
	*	
OMAR GENAO-SANCHEZ	*	
	*	
Defendant	*	

DEFENDANT'S PETITION FOR A WRIT OF HABEAS CORPUS  
AD PROSECUNDUM IN REGARDS TO INMATE  
OMAR GENAO-SANCHEZ

TO THE HONORABLE COURT

**COMES NOW**, the defendant, Omar Genao-Sanchez, through his undersigned counsel and respectfully alleges and prays:

On November 5, 2004 the United States Court of Appeals for the First Circuit issued the opinion in case #02-1462 whereby the case of Mr. Genao Sanchez was vacated as to the convictions in counts two and three of second superseding indictment and remanded the case to the District Court, in part, for resentencing. Accordingly a habeas corpus at prosecundum is filed as to Omar Genao Sanchez.

Defendant Omar Genao Sanchez (Reg. # 19236-069) requests that the court order Warden at USP Coleman Facility to produce the body of defendant, who is incarcerated at said federal facility. Petitioner requests' that the U. S. Marshalls' be ordered *FORTHWITH*<sup>1</sup> to bring the body of Mr. Omar Genao Sanchez to appear in the United States District Court for the District of Puerto Rico, in the courtroom of the Honorable José A. Fuste in the above-mentioned

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<sup>1</sup> "FORTHWITH" must appear in any Order issued so as to overcome the 21-day notice requirement.

case.

**WHEREFORE**, it is respectfully requested that the court issue an Order,  
*FORTHWITH*.

**CERTIFICATE OF SERVICE:** I hereby certify that on this date the present document has been filed electronically and is available for viewing and downloading from the Court's CM/ECF system by U.S. Attorney's Office.

**RESPECTFULLY SUBMITTED.**

In San Juan, Puerto Rico, this 16<sup>th</sup> day of November, 2004.

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	*	
Defendant	*	

**O R D E R**

Having considered the Defendant's Petition for a Writ of Habeas Corpus Ad Prosecundum as to Omar Genao Sanchez, the Court hereby orders the Warden at USP Coleman, Florida to produce Omar Genao Sanchez, who is incarcerated in said federal facilities, FORTHWITH to appear in the United States District Court for the District of Puerto Rico, in the courtroom of the Honorable José A. Fuste, for resentencing procedures in the above-mentioned case.

SO ORDERED.

At San Juan, Puerto Rico, on                      day of                      , 2004.

**JOSE A. FUSTE**  
U.S. District Judge